

REMARKS

Claims 1-28. By this amendment, claims 1 and 7 are amended, claims 21-28 are withdrawn, claims 6 and 12 are canceled, and claims 29-38 are added. Upon entry of this amendment, claims 1-5, 7-11, 13-20 and 29-38 are pending, of which claims 1, 7, and 35 are independent. No new matter will be incorporated into the present application by entry of this Amendment. If the Office determines that any additional fees are deemed to be necessary with the filing of this Amendment, then the Office is authorized and requested to charge such fees to Deposit Account No. 061910.

In the Office Action mailed June 19, 2006, the Examiner required restriction between the claims of Group I (claims 1-20, stated to be drawn to a product) and the claims of Group II (claims 21-28, stated to be drawn to a method). In response to the restriction requirement, Applicant, through its attorney, affirms the provisional election of Group I (claims 1-20) with traverse.

The claims of Groups I-III meet the requirements for consideration in a single application, *inter alia*, in that they each relate to a sputtered carbon layer. Further, Applicant traverses the restriction requirement on the grounds that no serious burden on the Examiner exists. If the search and examination of an entire application can be made without serious burden, it must be examined on the merits even though it includes claims directed to distinct or independent invention. M.P.E.P. § 803. The subject matter of Groups I and II are believed sufficiently related that a thorough search for the subject matter of either group would encompass a search for the subject matter of both groups. To avoid duplicative examination by the Patent Office and unnecessary delay and expense to Applicant, Applicant respectfully requests examination on the merits of all the claims, not just those of Group I.

Furthermore, Applicant submits that if a determination of an allowable generic claim is issued, claims that are written in defendant form or otherwise include all the limitations of the allowed generic claim should be considered. M.P.E.P. § 809.02(c). Therefore, Applicant respectfully requests that the Examiner consider rejoining the claims of Group II-III and the claims of Group I upon a finding of allowability of the claims of Group I.

The Examiner rejected claims 6 and 12 under §112, second paragraph, as being indefinite. Applicant has canceled claims 6 and 12 to address the Examiner's concerns.

The Examiner also rejected claims 1-3, 6-9, 12-16, and 18 under §102(e) as being anticipated by Veerasamy (U.S. Patent No. 6,261693). The Examiner also rejected claims 3-4, 9-10, 17, and 19-20 under §103(a) as being unpatentable over Veerasamy. Applicant respectfully requests reconsideration in light of the following amendments and/or arguments.

Amended independent claims 1 and 7 each require a water-sheeting coating, wherein the coating includes a carbon layer comprising at least 70% graphite. Applicant has discovered that a coating including a carbon layer with a high percentage of graphite, such as at least 70% graphite, provides exceptional water-sheeting properties.

Veerasamy does not disclose a carbon layer comprising at least 70% graphite. In fact, Veerasamy teaches against a coating having a layer with at least 70% graphite. Veerasamy desires to provide a coating that has strong protective functions and also prevents and/or minimizes the visible stains/corrosion on glass surfaces. *See, e.g., Col. 1, lines 36-40.* Veerasamy teaches providing an amorphous carbon layer that includes at least about 35% sp<sup>3</sup> carbon-carbon bonds, more preferably at least about 70%, and most preferably at least about 80-% of the sp<sup>3</sup> carbon-carbon bonds. *See Abstract.* Likewise, Veerasamy teaches providing an amorphous carbon layer including sp<sup>2</sup> and sp<sup>3</sup> carbon-carbon bonds, wherein the layer has more sp<sup>3</sup> carbon-carbon bonds than sp<sup>2</sup> carbon-carbon bonds. *See Col. 2, lines 64-67 to Col. 3, lines 1-2.* Further, Veerasamy teaches providing a carbon layer having a high density of from about 2.4 to 3.4 gm/cm<sup>3</sup>. *See, e.g., Col. 3, lines 18-21.*

Veerasamy actually states that the high amount of sp<sup>3</sup> carbon-carbon bonds increases the density of its carbon layer thereby allowing it to prevent soda diffusion. *See, e.g., Col. 5, lines 24-26.* Also, the high number of sp<sup>3</sup> carbon-carbon bonds makes the carbon layer diamond-like and very hard, which makes the layer a strong, protective coating. Thus, Veerasamy teaches providing a coating with a high density and a high number of sp<sup>3</sup> carbon-carbon bond in order to provide a protective, dense coating that minimizes staining and corrosion. Veerasamy would not use a carbon layer having a high percentage of graphite as claimed, because the resulting coating would be too soft and not dense enough for Veerasamy's intended purpose.

Applicant respectfully requests the Examiner to withdraw the rejections of amended independent claims 1 and 7 and claims depending thereon. Applicant also believes that new independent claim 35 and claims depending thereon are patentable over Veerasamy for the reasons already given for claims 1 and 7.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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